

City of West Linn
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
May 17, 2018

SUBJECT: Application for annexation including zone assignment for a 3.75 acre property owned by David Hardy at 22915 Weatherhill Road

FILE: PA-18-15

ATTENDEES: Applicants: Tim Hazen
Staff: Peter Spir (Planning)

*The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any "follow-up" items identified during the meeting. **These comments are PRELIMINARY in nature.** Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.*

SITE INFORMATION:

Site Address: 22915 Weatherhill Road (21E35B tax lot 101)
Site Area: 3.75
Neighborhood: Savanna Oaks
Comp. Plan: Medium High Density Residential (West Linn)
Zoning: Current zoning in Clackamas County: Future Urban 10 acre minimum
Applicable code: Community Development Code (CDC) Chapter 81: Boundary Changes
CDC Chapter 105: Amendments to the Code and Map
Municipal Code Chapter 2.915: Annexations
Metro Code Chapter 3.09 Local Boundary Changes (Expedited Decision)
See also Tri-City Service District
http://www.clackamas.us/wes/documents/tri_city_annexation_packet.pdf

PROJECT DETAILS: The property is an unincorporated "island" located 340 feet inside the city limits and UGB. The applicant proposes to annex the property to the City with an R-3 zoning designation. An R-3 designation would be compatible with the existing "Medium High Density Residential" comprehensive plan designation and surrounding properties. The property is serviceable by city utilities. No development is proposed at this time; however, the applicant represents the owners of the Tanner Springs Assisted Living Facility on the property to the east and anticipate a similar facility on this property.

Annexations go through a two-step hearing process. Step one is a land use decision. The Council determines whether the proposed annexation is consistent with the intent of the West Linn Comprehensive Plan and CDC Chapter 81. The Council will assign a zone for the property. At the conclusion of step one, the Council may, in its discretion, may: 1) decide to set a public hearing for the annexation request (step two), 2) delay a public hearing on the requested annexation or 3) pass a resolution placing the annexation request on a ballot for an advisory vote. (If an advisory vote is to be held, it would likely be at the November 2018 election date, unless the applicant pays for a special election.)

Step two review for annexation proposals is a legislative or policy decision that applies the standards of WLMC 2.930. (In the response, the applicant should quantify, to the degree possible, the cost of annexation.) Both Step 1 and Step 2 can occur on the same night.

There are concurrent requirements to annex to the Tri-City Service District and to withdraw from the Clackamas County Enhanced Law Enforcement District. Those take place after the City has approved the annexation.

Engineering/TVFR Comments: Contact Erich Lais at elais@westlinnoregon.gov for Engineering comments and Ty Darby at tdarby@tvfr.com for TVFR comments.

PROCESS: Submit completed application form and provide responses to approval criteria of CDC 81.040 and 81.050; and 81.055; West Linn Municipal Code 2.915 to 2.930; and Metro Code 3.09.040 and 3.09.045 (Expedited Decisions). (Regarding Municipal Code approval criteria 2.930(2) (b) please contact Tim Woodley, Director, Department of Operations, WLWV School District at Woodleyt@wlwv.k12.or.us) The application will also include completed "Annexation Petition" form, "Certification of Property Ownership" form and "Certification of Legal Description and Map" per Oregon Department of Revenue (DOR) specifications. <http://www.oregon.gov/DOR/programs/property/Pages/boundary-change.aspx>. See also http://www.oregon.gov/DOR/forms/FormsPubs/boundary-change_504-405.pdf .These forms and maps shall be signed and stamped by Clackamas County Tax and Assessment Department. Annexation to the Tri-City Service District requires responding to the submittal requirements as explained in the WES publication. Approval by the Clackamas County Board of Commissioners is required. Contact Erik Carr, Development Review Specialist, Clackamas County - Water Environment Services (503-742-4571) ECarr@co.clackamas.or.us. The application should also declare the intent to withdraw from the Clackamas County Enhanced Law Enforcement District. The City of West Linn's fee for an annexation is \$15,000 plus \$1,000 for every acre up to \$20,000 (excluding any applicable election costs, County/Tri-City (\$895 per WES handout), Metro (\$300 per Metro website), DOR, etc. fees which are the responsibility of the applicant). Please verify all fee amounts at the time of application.

For the zone assignment, respond to CDC 105.050 requirements. Because this a zone assignment and not a change of city zones, the requirements of Oregon Administrative Rule (OAR) 660-012-0060 including a Traffic Impact Analysis (TIA) per 105.050(D) (3) do not apply. At such time that a land development application is made, a TIA may be required. No neighborhood meeting, per CDC 99.038, is required. Once the submittal is deemed complete, staff will provide notice per CDC Chapter 99 and ORS and schedule a public hearing with the City Council. (The 120-day rule does not apply to legislative action.)

Typical land use applications can take 6-12 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes are not intended as minutes of the meeting. These notes do not constitute an endorsement of the proposed application **or provide any assurance of potential outcomes**. Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. **A new pre-application conference would have to be scheduled after 18 months and these notes would no longer be valid. Any changes to the CDC standards may require a different design or submittal.**